

FARDEAU et al.  
Appl. No. 10/538,715  
Atty. Ref.: 1721-94  
Amendment  
August 14, 2009

**REMARKS**

Reconsideration is requested.

Claims 8 and 12 are pending.

Claim 1 has been canceled, without prejudice, to advance prosecution. Claim 12 has been rewritten in independent form, in response to the Examiner's comment spanning pages 3-4 of the Office Action dated May 14, 2009. Withdrawal of the objection to claim 12 is requested in view of the above. The allowance of claim 8 is acknowledged, with appreciation. See page 3 of the Office Action dated May 14, 2009.

The Section 112, first paragraph "written description", rejection of claim 1 is moot in view of the above.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned, preferably by telephone, in the event anything further is required in this regard.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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